

Rec'd PCT/TO 08 FEB 2005

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Attorney Docket No. 1422-0662PUS1

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747  
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PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

REMEDY

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_;  
and amended on \_\_\_\_\_ (if applicable) and/or  
the specification was filed on August 6, 2003 as PCT  
International Application Number PCT/JP03/09978; and was  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

### Priority Claimed

Insert Priority  
Information:  
(if appropriate)

2002-233808	Japan	August 9, 2002	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Month/Day/Year Filed)		
2003-127518	Japan	May 2, 2003	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Month/Day/Year Filed)		
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Month/Day/Year Filed)		
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Month/Day/Year Filed)		

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
Application(s):  
(if any)

_____	_____
(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country	Application Number	Date of Filing (Month/Day/Year)
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Insert Requested  
Information:  
(if appropriate)

_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

_____	_____	_____
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint the practitioners at CUSTOMER NO. 2292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP** or CUSTOMER NO. 2292

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
COMPLETE  
THE  
FOLLOWING:

Full Name of First  
or Sole Inventor:  
Insert Name of  
Inventor  
Insert Date This  
Document is Signed

Insert Residence  
Insert Citizenship

Insert Mailing  
Address

Full Name of Second  
Inventor, if any:  
see above

Full Name of Third  
Inventor, if any:  
see above

Full Name of Fourth  
Inventor, if any:  
see above

Full Name of Fifth  
Inventor, if any:  
see above

Full Name of Sixth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME <u>Tatsuji ENOKI</u>	INVENTOR'S SIGNATURE <u>Tatsuji Enoki</u>	DATE* <u>Sep. 24, 2004</u>
Residence (City, State & Country) <u>Kyotanabe-shi, Kyoto 610-0313 Japan</u>		CITIZENSHIP <u>Japan</u>
MAILING ADDRESS (Complete Street Address including City, State & Country) <u>43, Miyamakinogami, Kyotanabe-shi, Kyoto 610-0313 Japan</u>		
GIVEN NAME/FAMILY NAME <u>Kinuko OGAWA</u>	INVENTOR'S SIGNATURE <u>Kinuko Ogawa</u>	DATE* <u>Sep. 24, 2004</u>
Residence (City, State & Country) <u>Otsu-shi, Shiga 520-2134 Japan</u>		CITIZENSHIP <u>Japan</u>
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GIVEN NAME/FAMILY NAME <u>Hiromu OHNOGI</u>	INVENTOR'S SIGNATURE <u>Hiromu Ohnogi</u>	DATE* <u>Sep. 24, 2004</u>
Residence (City, State & Country) <u>Kusatsu-shi, Shiga 525-0025 Japan</u>		CITIZENSHIP <u>Japan</u>
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GIVEN NAME/FAMILY NAME <u>Katsumi SUGIYAMA</u>	INVENTOR'S SIGNATURE <u>Katsumi Sugiyama</u>	DATE* <u>Sep. 24, 2004</u>
Residence (City, State & Country) <u>Otsu-shi, Shiga 520-2134 Japan</u>		CITIZENSHIP <u>Japan</u>
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GIVEN NAME/FAMILY NAME <u>Nobuko MURAKI</u>	INVENTOR'S SIGNATURE <u>Nobuko Muraki</u>	DATE* <u>sep. 24, 2004</u>
Residence (City, State & Country) <u>Koka-gun, Shiga 529-1851 Japan</u>		CITIZENSHIP <u>Japan</u>
MAILING ADDRESS (Complete Street Address including City, State & Country) <u>520, Nagano, Shigaraki-cho, Koka-gun, Shiga 529-1851 Japan</u>		
GIVEN NAME/FAMILY NAME <u>Hiroaki SAGAWA</u>	INVENTOR'S SIGNATURE <u>Hiroaki Sagawa</u>	DATE* <u>Sep. 24, 2004</u>
Residence (City, State & Country) <u>Kusatsu-shi, Shiga 525-0025 Japan</u>		CITIZENSHIP <u>Japan</u>
MAILING ADDRESS (Complete Street Address including City, State & Country) <u>6-32, Nishishibukawa 2-chome, Kusatsu-shi, Shiga 525-0025 Japan</u>		

Full Name of Seventh  
Inventor, if any:  
see above

7-00

GIVEN NAME/FAMILY NAME Ikunoshin KATO		INVENTOR'S SIGNATURE <i>Ikunoshin Kato</i>	DATE* Sept. 25, 2004
Residence (City, State & Country) Koka-Shi, Shiga 529-1851 Japan		CITIZENSHIP Japan	
MAILING ADDRESS (Complete Street Address including City, State & Country) 1454-15, Naqano, Shiqaraki-cho, Koka-Shi, Shiga 529-1851 Japan			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			

Full Name of Eighth  
Inventor, if any:  
see above

Full Name of Ninth  
Inventor, if any:  
see above

Full Name of Tenth  
Inventor, if any:  
see above

Full Name of Eleventh  
Inventor, if any:  
see above

Full Name of Twelfth  
Inventor, if any:  
see above

Full Name of Thirteenth  
Inventor, if any:  
see above

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Form PTO-1595 (Rev. 09/04)  
OMB No. 0651-0027 (exp. 6/30/2005)U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

# RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)/Execution Date(s):**Tatsuji ENOKI (09/24/2004), Kinuko OGAWA  
(09/24/2004), Hiromu OHNOGI (09/24/2004),  
Katsumi SUGIYAMA (09/24/2004),

Execution Date(s): in parentheses after inventor name

Additional name(s) of conveying party(ies) attached? ☒ Yes ☐ No**2. Name and address of receiving party(ies)**Name: TAKARA BIO INC.

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

4-1, Seta 3-chome,  
Otsu-Shi, Shiga  
520-2193  
JAPAN

City: \_\_\_\_\_

State: \_\_\_\_\_

Country: \_\_\_\_\_ Zip: \_\_\_\_\_

Additional name(s) & address(es) attached: ☐ Yes ☒ No**3. Nature of Conveyance:**☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Government Interest Assignment☐ Executive Order 9424, Confirmatory License☐ Other \_\_\_\_\_**4. Application or patent number(s):**☒ This document is being filed together with a new application.

A. Patent Application No.(s)

NEW

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No**5. Name and address to whom correspondence concerning document should be mailed:**Name: Marc S. Weiner  
BIRCH, STEWART, KOLASCH & BIRCH,  
LLP

Internal Address: Atty. Dkt.: 1422-0662PUS1

Street Address: 8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747City: Falls ChurchState: VA Zip: 22040-0747Phone Number: (703) 205-8000Fax Number: (703) 205-8050Email Address: mailroom@bskb.com**6. Total number of applications and patents involved:**

1

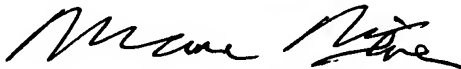
**7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00**☐ Authorized to be charged by credit card☐ Authorized to be charged to deposit account☒ Enclosed☐ None required (government interest not affecting title)**8. Payment Information**

a. Credit Card Last 4 Numbers \_\_\_\_\_

Expiration Date \_\_\_\_\_

b. Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

**9. Signature:**

Signature

February 8, 2005

Date

Marc S. Weiner - 32,181

Name of Person Signing

Total number of pages including cover  
sheet, attachments, and documents:

4

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Docket No.: 1422-0662PUS1

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**UNITED STATES PATENT RIGHTS, OR  
UNITED STATES PLUS ALL FOREIGN PATENT RIGHTS**ASSIGNMENT**Application No. NEWFiled February 8, 2005Insert Name(s)  
of Inventor(s)

\*\*\* (FAMILY NAME (ALL CAPS), Given Name) \*\*\*

WHEREAS,	ENOKI Tatsuji	OGAWA Kinuko
OHNOGI Hiromu	SUGIYAMA Katsumi	MURAKI Nobuko
SAGAWA Hiroaki	KATO Ikunoshin	

(hereinafter designated as the undersigned) has (have) invented certain new and useful improvements in

Insert Title  
of Invention

REMEDY

for which an application for Letters Patent of the United States of America has been executed by the undersigned (except in the case of a provisional application).

Insert Date  
of Signing of  
ApplicationSeptember 24, 2004, September 24, 2004, September 24, 2004,  
September 24, 2004, September 24, 2004, September 24, 2004  
on and September 25, 2004: respectively; andInsert Name  
of Assignee

WHEREAS, TAKARA BIO INC.

Insert Address  
of Assignee

of 4-1, Seta 3-chome, Otsu-shi, Shiga 520-2193 Japan

its heirs, successors, legal representatives and assigns (hereinafter designated as the Assignee) is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent(s) that may be granted therefor in the United States of America and

CHECK BOX  
IF APPROPRIATE☐ in any foreign countries.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) to the undersigned in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, the undersigned has (have) sold, assigned and transferred, and by these presents does sell, assign and transfer unto said Assignee the full and exclusive right to the said invention in the United States of America, its territories, dependencies and possessions and the entire right, title and interest in and to any and all Letters Patent(s) which may be granted therefor in the United States of America, its territories, dependencies and possessions, and if the box above is designated, in any and all foreign countries;

and to any and all divisions, reissues, continuations, conversions and extensions thereof for the full term or terms for which the same may be granted.

The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing, divisional, conversion or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree (s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation, division, conversion or reissue thereof or Letter Patent(s) or reissue patent issued thereon and to cooperate with the Assignee in every way possible in obtaining and producing evidence and proceeding with such interference.

The undersigned agree(s) to execute all papers and documents and to perform any act which may be necessary in connection with claims or provisions of the International Convention for the Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States of America patent(s) or a grant of a valid United States of America and any foreign patent(s) to the Assignee and to vest all rights therein hereby conveyed to said Assignee as fully and entirely as the same would have been held by the undersigned if this Assignment and sale had not been made.

The undersigned hereby authorize(s) and request(s) the Patent and Trademark Office Officials in the United States of America and in any foreign countries to issue any and all Letters Patents resulting from said application or any continuing, divisional conversion or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) the full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

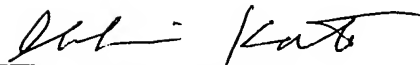
The undersigned hereby grant(s) the law firm of Birch, Stewart, Kolasch & Birch, LLP the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

The undersigned hereby covenant(s) that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date <u>Sep. 24. 2004</u>	Name of Inventor <u>Tatsuy Enoki</u> (signature) ENOKI Tatsuji
Date <u>Sep. 24. 2004</u>	Name of Inventor <u>Kinuko Ogawa</u> (signature) OGAWA Kinuko
Date <u>Sep. 24. 2004</u> H.O	Name of Inventor <u>Hiromu Ohnogi</u> (signature) OHNOGI Hiromu
Date <u>Sep. 24. 2004</u>	Name of Inventor <u>Katsumi Sugiyama</u> (signature) SUGIYAMA Katsumi
Date <u>Sep. 24. 2004</u>	Name of Inventor <u>Nobuko Muraki</u> (signature) MURAKI Nobuko
Date <u>Sep. 24. 2004</u>	Name of Inventor <u>Hiroaki Sagawa</u> (signature) SAGAWA Hiroaki

Date Sept. 25, 2004

Name of Inventor   
(signature) KATO Ikunoshin

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
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Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)

Date \_\_\_\_\_

Name of Inventor \_\_\_\_\_  
(signature)